THE HON'BLE MRS JUSTICE T.MEENA KUMARI
&
THE HON'BLE MR JUSTICE G. CHANDRAIAH

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WRIT PETITION NO.7237 OF 2007

Dated: 17.4.2007

Between:

M.Shajidibi

..Petitioner

And

Director General and Inspector General of Police & others.

.. Respondents.

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THE HON'BLE MRS JUSTICE T.MEENA KUMARI
&

THE HON'BLE MR JUSTICE G.CHANDRAIAH.

WRIT PETITION NO.7237 OF 2007

ORDER: (Per Hon'ble Smt. Justice T. Meena Kumari)

This is a writ petition filed by the petitioner seeking a direction to the respondents to produce her husband, R.Nazeer Ahmed before this Court and hand over him to her.

It is the case of the petitioner that the said Nazeer is her husband and due to harassment made by him and his family members, she filed a criminal case in C.C.No.53 of 2006 on the file of the Judicial Magistrate of 1st Class, Guntakal for the offence under sections 498-A IPC and sections 3 and 4 of the Dowry Prohibition Act. Subsequently, the 4th respondent who is her mother in law has filed a man missing case in Cr.No:3 of 2006 only in order to overcome the criminal case filed by the petitioner.

On the other hand, it is the case of the 4th respondent who is the mother in law of the petitioner that the petitioner is solely responsible for the missing of her son.

It is brought to the notice of this Court by the learned Additional Advocate General that on the report given by the 4th respondent, a case in Cr.No:3 of 2006 under the head of man missing is pending investigation and apart from that, N.B.W. issued against the husband of the petitioner in C.C.No:534 of 2006 is pending execution.

A detailed counter-affidavit has also been filed by the 3rd respondent to that effect.

In this back ground of the matter and in view of registration of F.I.R. in Cr.No:3 of 2006 under the head of man missing and in view of the pendency of N.B.W. against the husband of the petitioner, We feel that this is not a fit case to invoke the jurisdiction of this Court under Article 226 of the Constitution of India. Hence, there are no merits in this writ petition and the same is liable to be dismissed.

Accordingly, this writ petition is dismissed.

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Justice T. Meena Kumari

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Justice G.Chandraiah

Date:17.4.2007
Gurc/nn

THE HON'BLE SMT. JUSTICE T.MEENA KUMARI
&
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

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WRIT PETITION NO.7237 OF 2007

(Order delivered by the Hon'ble Smt. Justice T. Meena Kumari)

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Dated: 17.4.2007